IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHRISTOPHER IWANICKI,	)	
	)	
Petitioner,	)	
	)	2:10cv1373
v.	)	Electronic Filing
	)	
COMMONWEALTH OF	)	Judge Cercone
PENNSYLVANIA; PENNSYLVANIA	)	Magistrate Judge Lenihan
COURTS; PENNSYLVANIA	)	
DEPARTMENT OF CORRECTIONS and	)	
PENNSYLVANIA BOARD OF	)	
PROBATION AND PAROLE	)	
	)	
Respondents.	)	

MEMORANDUM ORDER

On October 19, 2010, the above captioned case was initiated by the filing of a Petition for Writ of Habeas Corpus (ECF No. 1) and was referred to a united states magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court for Magistrate Judges.

The magistrate judge filed a Report and Recommendation on August 15, 2011 (ECF No. 41) recommending that the Petition for Writ of Habeas Corpus be denied and that a certificate of appealability be denied. On August 22, and August 23, 2011, Petitioner filed Objections to the Report and Recommendation (ECF Nos. 42, 43). Petitioner's objections do not undermine the recommendation of the magistrate judge.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

AND NOW, this ___ day of August, 2011:

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 41) is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

_____
David Stewart Cercone
United States District Judge

cc: Christopher Iwanicki
        FW-2272
        801 Butler Pike
        Mercer, PA 16137
        (*Via First Class Mail*)

        Alan M. Robinson, Esquire
        (*Via CM/ECF Electronic Mail*)